

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

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SOO LINE RAILROAD CO.	)	
d/b/a CANADIAN PACIFIC RAILWAY	)	
	)	
Plaintiff,	)	
	)	Civil Action No. <b>08-CV-1813</b>
v.	)	Judge Der-Yeghiayan
	)	Magistrate Judge Cox
BROTHERHOOD OF MAINTENANCE OF WAY	)	
EMPLOYES DIVISION OF THE INTERNATIONAL	)	
BROTHERHOOD OF TEAMSTERS	)	
	)	
Defendant.	)	
	)	

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**NOTICE OF MOTION**

On June 19, 2008 at 9:00 a.m. or as soon thereafter as counsel may be heard, we will appear before the Honorable Judge Samuel Der-Yeghiayan at the Dirksen Federal Building, 219 South Dearborn Street, Chicago, IL, and present Brotherhood of Maintenance of Way Employes Division's

**MOTION TO DISMISS COMPLAINT FOR LACK OF SUBJECT MATTER JURISDICTION.**

Respectfully submitted,

Of Counsel:

William A. Bon, Esq.

General Counsel

Brotherhood of Maintenance  
Of Way Employes Division/IBT  
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June 17, 2008

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s/ William L. Phillips

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Attorneys for Defendant  
Brotherhood of Maintenance of Way Employes  
Division/IBT

## CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2008, a copy of the foregoing Answer was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this document through the Court's system.

s/ William L. Phillips